

REMARKS

Reconsideration of the instant application is respectfully requested. The present submission is responsive to the Office Action of September 26, 2008, in which claims 1-19 are presently pending. Each of claims 1-19 has been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention, as more specifically set forth on page 4 of the Office Action. With regard to the art of record, each of claims 1-19 has been rejected under the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-21 of U.S. Patent 7,234,037, in view of U.S. Patent 4,916,608 to Shultz. In addition, each of claims 1-19 has been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,598,144 to Bailey, et al., in view of Shultz. For the following reasons, however, it is respectfully submitted that the present application is now in condition for allowance.

A terminal disclaimer is filed herewith, thereby overcoming the non-statutory obviousness-type double patenting rejections based on U.S. Patent 7,234,037 to the Applicants, in view of U.S. Patent 4,916,608 to Shultz.

With regard to the outstanding §112, second paragraph rejections, claims 1, 18 and 19 are amended so as to delete the term “z/Architecture.” In addition, claim 2 has been amended to remove the reference to the term “alternate address space.” Accordingly, the §112, second paragraph rejections have now been overcome, and it is respectfully requested that the same be withdrawn.

Finally, with regard to each of the §103 rejections over the art of record (Bailey in view of Shultz), independent claims 1, 18 and 19 have been further amended to more particularly point out and recite the nature of the claimed MIMO virtualization, which provided for interpretive execution of a program so as to provide direct LIO/STIO access

to an adapter, whether real or emulated. In particular, a host program allocates at least one of a real resource and a virtual resource associated with the first memory mapped input output alternate address space to a guest program that is started by the host program. The host program ensures that a process executed by the guest program corresponds to the resource allocated to the guest program, and in a manner that is not visible to the guest program. Support for this amendment is found at least in paragraphs [0068], [0080] and [0081] of the specification.

The Examiner has acknowledged that Bailey does not teach allocating one of a real resource and a virtual resource associated with the first alternate address space to a process. Thus, the Shultz reference is applied for its purported teaching of allocating at least one of a real resource and a virtual resource process. However, neither Bailey nor Schultz teach or suggest the specific aspect of “virtualization” as presently claimed, wherein a host program allocates at least one of a real resource and a virtual resource associated with the first memory mapped input output alternate address space to a guest program that is started by the host program, where the host program ensures that a process executed by the guest program corresponds to the resource allocated to the guest program, and in a manner that is not visible to the guest program.

Therefore, since the combination of Bailey and Shultz fails to teach or disclose the claimed virtualization, each of the outstanding §103 rejections of the remaining claims have been overcome, and Applicants respectfully request withdrawal of the same.

For the above stated reasons, it is respectfully submitted that the present application is now in condition for allowance. No new matter has been entered and no additional fees are believed to be required. However, if any fees are due with respect to this Amendment, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,
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